

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of IESHIA M. JACKSON, DEALVA JACKSON, JOHNNIE JACKSON, and ALEXIS CROSS, Minor.

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DEPARTMENT OF SOCIAL SERVICES,

Petitioner-Appellee,

v

BERNICE JACKSON,

Respondent-Appellant.

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UNPUBLISHED

June 24, 1997

No. 194194

Wayne Probate Court

LC No. 93-308387

Before: Markman, P.J., and Holbrook, Jr., and O'Connell, JJ.

MEMORANDUM.

Respondent appeals as of right from the probate court order terminating her parental rights to the minor children under MCL 712A.19b(3)(a)(ii), (c)(i) and (g); MSA 27.3178(598.19b)(3)(a)(ii), (c)(i) and (g). We affirm.

Because, as of the date of the termination hearing the mother had failed to visit the children for more than 91 days, the probate court did not clearly err in finding that one statutory ground for termination was established by clear and convincing evidence. MCR 5.974(I); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Although respondent did offer some evidence in rebuttal, it was insufficient to overcome the presumption that termination was clearly in the children's best interest. MCL 712A.19b(5); MSA 27.3178(598.19b)(5); *In re Hall-Smith*, \_\_\_ Mich App \_\_\_; \_\_\_ NW2d \_\_\_ (Docket No. 195833, issued 3/25/97), slip op p 3.

Affirmed.

/s/ Stephen J. Markman

/s/ Donald E. Holbrook, Jr.

/s/ Peter D. O'Connell

